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In re Application of
Iki et al.
Application No. 10/518,986
PCT No.: PCT/JP02/11181
Int. Filing Date: 28 October 2002
Priority Date: 10 July 2002
Atty. Docket No.: F-8518
For: Paper Feed Roller And
Fabrication Method Thereof

DECISION

This is in response to the responses filed on 28 August 2008, 10 August 2007, and 14 January 2008, which are being treated as a renewed petition under 37 CFR 1.42 and 1.47(a).

DISCUSSION

In a Decision mailed on 13 March 2007, the submission under 37 CFR 1.42 and petition under 37 CFR 1.47(a) filed on 18 September 2006 were dismissed, without prejudice.

Counsel has submitted a copy of a declaration filed under PCT Rule 4.17(iv), signed by both of the joint inventors, seeking to obviate the issues under 37 CFR 1.42 and 1.47(a). As noted by petitioner, the copy of the declaration filed on 10 August 2007 did not accurately reflect the declaration which had been filed during the international phase. The 28 August 2008 response was accompanied by a copy of the "correct" declaration under Rule 4.17(iv). Inspection of the declaration under Rule 4.17(iv) as published by the International Bureau, in view of the translation provided by petitioner, reveals that it names and was executed by the inventors nominated in the published international application. Based on the totality of the evidence currently of record, it would be appropriate to accept this declaration in satisfaction of the requirements of 37 CFR 1.497(a) and (b). As such, the issues presented under 37 CFR 1.42 and 37 CFR 1.47(a) are MOOT.

It is noted that the \$1020.00 extension of time fee paid on 14 January 2008 was not required, and it is being refunded as authorized in the petition.

DECISION

The submission under 37 CFR 1.42 is DISMISSED AS MOOT, without prejudice.

The petition under 37 CFR 1.47(a) is DISMISSED AS MOOT, without prejudice.

This application is being forwarded to the Office of Patent Application Processing. Its date under 35 U.S.C. 371(c)(1), (2) and (4) is 21 December 2004.

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